REMARKS

The Office Action of July 26, 2007 has been received and its contents carefully considered.

The present Amendment corrects an informality in one of the dependent claims, and adds a new dependent claim to further protect the invention. The new dependent claim is supported (for example) by the last two paragraphs on page 8 of the application and the first paragraph on page 9.

The Office Action rejects claims 1 and 4 for anticipation by US patent 6,310,542 to Gehlot. The rejection is respectfully traversed for the reasons discussed below.

Independent claim 1 recites a "vehicle controller" and "a predetermined data storage for storing predetermined data selected from data appearing in the vehicle controller." The paragraph bridging pages 2 and 3 of the Office Action takes a position that Gehlot's element 7 corresponds to such a "predetermined data storage." The Office Action refers to the passage at column 3 of the reference, lines 12-17, but this passage only refers to "an electronic data storage unit 7 for storing the collected data." It is respectfully submitted that this is not a sufficient basis for concluding that Gehlot's data storage unit 7 corresponds to the "predetermined data storage" of claim 1.

The paragraph bridging pages 2 and 3 of the Office Action also comments that:

> It appears that all collected data is stored in the predetermined data storage. Storing all the collected data is interpreted as a predetermined selection wherein all data should be stored in the data storage.

However, there is no description in the reference that a data selection process exists. It would appear that all of the collected data is stored in the reference. The idea of selecting data for storage is simply not found in the reference.

Claim 1 also recites a "removable memory" and "a data collection controller that receives the predetermined data from the predetermined data storage, the data collection controller including at least a code entry section for entering desired data in code, and a download section for downloading data entered in code and data in the predetermined data storage into the removable memory." At the middle of page 3, the Office Action takes the position that Gehlot's input/output devices 5 (see Figure 4 of the reference) correspond to the "data collection controller" of claim 1. The Office Action refers to various passages in the reference in support of this contention. However, the cited passages at Gehlot's column 3, lines 55-67, merely disclose that one of the input-output devices 5 is a card reader 5B, that Gehlot's processing unit 3 may receive data from input-output devices such as the card reader 5B, and that the card reader 5B may read information from one of more information cards 28, 30, 32, and 34. The cited passage at column 4, line 49 to column 5, line 19 only discloses that once Gehlot's processing unit 3 receives the collected data, this information can be stored in data storage device 7, which may be a hard disc. The passage also discloses that the collected data stored in data storage device 7 is capable of being accessed by the processing unit 3 in order to display it to the driver, and that the stored data can be outputted to information cards 28-34 for easy transfer to third parties.

In view of what is actually disclosed by the passages cited in the Office Action, it is respectfully submitted that an ordinarily skilled person would understand that Gehlot's card reader 5B is an input-output device only to read information from cards 28-34 or write information to cards 28-34, and has no code entry section. Since the data collection controller of claim 1 includes "a code entry section for entering desired data in code," it is respectfully submitted that Gehlot's input-output devices 5 does not correspond to the "data collection controller" of claim 1.

The Office Action comments (at the middle of page 3) that Gehlot's card reader "receives an encoded information card (code entry)", but even if the card reader 5B reads encoded information it cannot be said that it has a code entry section.

The remaining claims depend directly or indirectly from claim 1 and recite additional limitations to further define the invention. They are therefore automatically patentable along with claim 1. Nevertheless, several of the dependent claims will now be briefly addressed.

Claim 4 (rejected for anticipation by Gehlot) recites that "a plurality of data is entered in code." The Office Action supports the rejection by referring to a passage at column 4 of the reference, lines 1-23. However, this passage merely advises that Gehlot's card 28 may include information related to the driver, card 30 may include information related to the vehicle itself, card 32 may be a debit card, and card 34 may serve as a passenger card.

Claim 5 provides that the data to be entered in code "is at least two of driver data, service route data, sender data, goods data, loading ratio data, and data for driving time periods." Claim 10 provides that the data to be entered in code "includes data identifying different drivers." The Office Action rejects claims 5 and 10 for obviousness based on Gehlot. However, it is respectfully submitted that an ordinarily skilled person who wanted to improve Gehlot's arrangement in some way would not have had an incentive to provide a "code entry section" in accordance with claim 1 for entering the types of data specified in claims 5 and 10. As was noted above, what Gehlot discloses is cards with information related to the driver or the vehicle itself, or debit cards or passenger cards.

Claim 11 provides that "data pertaining to a given parameter of vehicle operation is stored in the predetermined data storage by a frequency-accumulation-type data recording method, in which possible values for the given parameter are divided into ranges, actual values for the given parameter are detected at predetermined time intervals, and every time an actual value that lies

within one of the ranges is detected, a count value corresponding to said one of the ranges is incremented." The Office Action refers to a passage at column 4 of Tano et al (US patent 6,438,472) for this. The cited passage describes a flow chart that is shown in Figure 18 of the reference for determining the standard deviations for multiple drivers or individual drivers. Why an ordinarily skilled person who wanted to improve Gehlot's system for managing vehicular data might be interested in standard deviations is not clear. At any rate, it is respectfully submitted that Tano's use of standard deviations would not have led an ordinarily skilled person to divide possible values of a given parameter of vehicle operation into ranges, detect actual values for the given parameter at predetermined time intervals, and increment the count values in the ranges according to the actual values.

New independent claim 16 provides that that the "code entry section comprises at least one manually operable button for entering the desired data in code." It is respectfully submitted that Gehlot card reader-writer 5B would not have suggested this.

For the foregoing reasons it is respectfully submitted that this application is in condition for allowance. Reconsideration of the application is therefore respectfully requested.

Respectfully submitted,

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